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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,326	12/31/2001	Yukio Sawajiri	SAWAJIRI=2	4583
1444	7590	02/11/2004	EXAMINER	
BROWDY AND NEIMARK, P.L.L.C. 624 NINTH STREET, NW SUITE 300 WASHINGTON, DC 20001-5303			HO, THOMAS Y	
			ART UNIT	PAPER NUMBER
			3677	

DATE MAILED: 02/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/032,326

Applicant(s)

SAWAJIRI ET AL.

Examiner

Thomas Y Ho

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) ☐ Other: _____

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DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/3/03 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ichinose US6155618 in view of Mark GB2336178A, and further in view of Hamada US6042160.

As to claim 1, Ichinose discloses, a striker of a vehicle door latch device, comprising: a longitudinal plate-like metal base 4 to be fixed to a vehicle body 2; and a U-shaped metal engaging member 5 including a first leg part 5A, a second leg part 5B which is in parallel with the first leg part, and a front connecting part 5C which connects a front end of the first leg part and a front end of the second leg part; wherein the longitudinal length of both the first leg part and the second leg part are perpendicular to the plane of the metal base (see Figure 7); each of said first leg part and said second leg part having, at rear end thereof which projects on a rear side of the base through a mounting hole (see Figure 7) of the base, a rear caulking flange with a

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larger diameter than that of the mounting hole engaged with a rear surface of the base; and a front caulking flange with a larger diameter than that of the mounting hole engaged on a front side of the base (the caulking flanges are the parts of the legs 5A and 5B that extend over the surfaces of the base; see Figure 7); said first leg part having, at a front side portion thereof, a latch engaging part (the top portion of leg 5A is a latch engaging part; see Figure 7; col.2, ln.5-18) which is engageable with a latch 10 on the vehicle door latch device having a structure which is oriented on the latch to engage the front side portion (see Figure 7). The difference between the claim and Ichinose is the claim recites, a recess on the latch being the structure that engages the front side portion; and said first leg part having a reinforced large diameter part with a larger diameter than that of the latch engaging part between the front caulking flange of the first leg part and the latch engaging part; wherein a length of said reinforced large diameter part being 20% or more of the length of the first leg part.

Hamada discloses a vehicle door latch and striker similar to that of Ichinose (see Figures 6 and 11). In addition, Hamada clearly shows that the latch 14 has a recess to receive a front portion of the striker. Ichinose discloses a known latch, but fails to expressly show the recess on the latch (the examiner's position is that the recess is there, but obscured by the angle of viewing in Figure 7). It would have been obvious to one of ordinary skill in the art, having the disclosures of Ichinose and Hamada before him at the time the invention was made, to use as the latch of Ichinose, the latch and recess of Hamada, to obtain a latch. One would have been motivated to make such a combination because this type of latch and engagement are old and well known in the art, as disclosed by Ichinose (col.2, ln.5) and taught by Hamada.

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Mark discloses a vehicle door striker similar to that of Ichinose. In addition, Mark further teaches said first leg part 18 having a reinforced large diameter part with a larger diameter than that of the latch engaging part 22 between the front caulking flange of the first leg part and the latch engaging part; wherein a length of said reinforced large diameter part being 20% or more of the length of the first leg part (see Figure 1). It would have been obvious to one of ordinary skill in the art, having the disclosures of Ichinose and Mark before him at the time the invention was made, to modify the first leg part of Ichinose to have a large diameter part, as in Mark, to obtain a reinforced striker leg. One would have been motivated to make such a combination because the ability to give substantial added strength and durability to the striker would have been achieved, as taught by Mark (pg.3, 3rd full paragraph).

As to claim 2, Ichinose discloses, wherein said second leg part has the same shape as said first leg part (see Figure 7).

As to claim 3, Ichinose discloses, wherein said latch engaging part (top portion of 5A) has the same diameter as said front connecting part 5C (see Figure 7).

As to claim 4, Mark teaches, wherein a tapered part is provided between said reinforced large diameter part and said latch engaging part 22 (see Figure 1).

As to claim 5, Mark teaches, wherein the length of said reinforced large diameter part is 25% or more of the length of said first leg part 18 (see Figure 1).

As to claim 6, Ichinose discloses, wherein said second leg part 5B has the same shape as said first leg part 5A, and said latch engaging part (top portion of 5A) has the same diameter as said front connecting part 5C. Mark teaches a tapered part is provided between said reinforced large diameter part and said latch engaging part 22 (see Figure 1).

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As to claim 7, Mark teaches, wherein the length of said reinforced large diameter part is 25% or more of the length of said first leg part 18 (see Figure 1).

As to claim 8, Mark teaches, wherein the length of said reinforced large diameter part is 30% or more of the length of said first leg part 18 (see Figure 1).

As to claim 9, Mark teaches, wherein said reinforced large diameter part has a length of twice or more the length of said rear caulking flange, in the longitudinal direction of said first leg part (see Figure 1).

As to claim 10, Mark teaches, wherein said reinforced large diameter part has a length of triple or more the length of said rear caulking flange, in the longitudinal direction of said first leg part (see Figure 1).

Response to Arguments

Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. US5209532 to Nakamura discloses a door lock device.
2. US5716085 to Kobayashi discloses a striker of a door lock device.
3. US6108894 to Mizuki discloses a method of making a striker.
4. US6631933 to Westerwick discloses a bolt for a vehicle door latch.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Y Ho whose telephone number is (703)305-4556. The examiner can normally be reached on M-F 10:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J Swann can be reached on (703)306-4115. The fax phone number for the organization where this application or proceeding is assigned is (703)872-9326.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)306-1113.

TYH

WILLIAM L. MILLER
PRIMARY EXAMINER
